Calendar No. 352

98TH CONGRESS
1st Session

SENATE

REPORT
No. 98–209

ESTABLISHING THE ARAVAIPA CANYON WILDERNESS IN THE STATE OF ARIZONA

AUGUST 4 (legislative day, AUGUST 1), 1983.—Ordered to be printed

Mr. MCCLURE, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 626]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 626) to designate the Aravaipa Canyon Wilderness in the State of Arizona, having considered the same, reports favorably thereon with amendments to the text and recommends that the bill as amended do pass.

The amendments are as follows:

1. On page 2, strike lines 13 through 17 in their entirety, and insert in lieu thereof the following:

> SEC. 3. In furtherance of the purposes of the Wilderness Act of 1964 (78 Stat. 890, 16 U.S.C. 1131 et seq.), certain public lands in Graham and.

2. On page 4, delete lines 7 through 14 in their entirety and insert in lieu thereof the following: "and April 28, 1971, are hereby revoked."

PURPOSE OF THE MEASURE

The purpose of S. 626, as reported, is to designate certain lands in Graham and Pinal Counties, Arizona, comprising approximately 6,670 acres as the Aravaipa Canyon Wilderness and a component of the National Wilderness Preservation System.

BACKGROUND AND NEED

Aravaipa Canyon, located in the east end of the Sonoran Desert in southern Arizona, was set aside as a 4,000-acre Bureau of Land Management primitive area in 1969. The canyon, with its 1,000 feet

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walls and stream, provides habitat for an estimated 158 species of wildlife. The canyon area has been inhabited by man for an estimated 9,500 years. Primary prehistoric remains include Hohokam and Salado sites.

The Aravaipa Trust owns about 6,000 acres of land at the east and west entrances to the canyon. The trust manages an additional 20,000 acres at these entrances and on the plateau south of the canyon. The Defenders of Wildlife established the Aravaipa Trust primarily to provide permanent protection for the wildlife species in and around the canyon. The trust was established in 1974 and an estimated $3 million has been expended in the acquisition, maintenance, and management of trust lands.

Mineral surveys conducted by the Department of the Interior indicate that the proposed wilderness area contains no significant mineral deposits. The administration has recommended that Aravaipa Canyon be designated as wilderness as a result of the wilderness study required by section 603 of the Federal Land Policy and Management Act of 1976.

LEGISLATIVE HISTORY

S. 626 was introduced on March 1, 1983. The Subcommittee on Public Lands and Reserved Water received testimony on S. 626 at a hearing on May 17, 1983. The administration supports the enactment of S. 626.

At an open business session on July 21, 1983, the Senate Committee on Energy and Natural Resources ordered S. 626, if amended, favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources in an open business session on July 21, 1983, by a unanimous voice vote, a quorum present, recommends that the Senate pass S. 626 if amended as described herein.

COMMITTEE AMENDMENTS

The committee adopted two amendments. The purpose of the first amendment is to reference only the Wilderness Act of 1964 as the proper act for management of the Aravaipa Canyon Wilderness. The amendment deletes the reference to the Federal Land Policy and Management Act of 1976.

The purpose of the second amendment is to conform the management and administration of wilderness on BLM lands to the Wilderness Act. The deleted portion of section 6 was not necessary. The Wilderness Act controls prior to regulations being promulgated. The Bureau of Land Management regulations are in draft form and were published in the Federal Register on June 14, 1983. The regulations are expected to be final in the fall of 1983.

The committee notes that the Aravaipa Trust manages an additional 20,000 acres of land adjacent to the proposed wilderness in addition to the 6,000 acres of fee land. The committee notes that Senator Goldwater and others have requested that the BLM conduct rigorous

planning with full community involvement for the future planning of the Aravaipa Canyon Wilderness. The BLM should consult with all adjacent landowner in the development of a management plan.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., July 26, 1983.

Hon. JAMES A. MCCLURE,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Dirksen Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has reviewed S. 626, the Aravaipa Canyon Wilderness Act, as ordered reported by the Senate Committee on Energy and Natural Resources, July 21, 1983.

This bill designates 6,670 acres of land in the State of Arizona as wilderness and directs the Secretary of the Interior to manage these lands in accordance with the provisions of the Wilderness Act. Because this land has been administratively designated as a primitive area, it is currently being managed as if it were a unit of the national wilderness preservation system. Thus, CBO estimates that no additional costs will be incurred by the federal, state, or local governments as a result of enactment of this legislation.

Should the Committee so desire, we would be pleased to provide further details on this estimate.

Sincerely,

NANCY M. GORDON
(For Alice M. Rivlin, Director).

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 626 as reported. S. 626 would designate the Aravaipa Canyon Wilderness in the State of Arizona. The act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and business.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 626.

EXECUTIVE COMMUNICATIONS

The pertinent legislative reports and communications received by the committee from the Department of the Interior setting forth executive agency recommendations relating to S. 626 are set forth below:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., July 27, 1983.

Hon. JAMES A. MCCLURE,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to your request for our views on S. 626, a bill to designate the Aravaipa Canyon Wilderness in the State of Arizona.

We strongly recommend enactment of S. 626, which was introduced after President Reagan and Secretary Watt recommended to the Congress that Aravaipa Canyon be designated as wilderness.

S. 626 would designate approximately 6,670 acres of public lands in Graham and Pinal Counties, Arizona, as the Aravaipa Canyon Wilderness, and a component of the national wilderness preservation system. If S. 626 is enacted, the lands would be administered by the Secretary of the Interior in accordance with the wilderness management provisions of the Wilderness Act of 1964. Prior to promulgation of rules and regulations providing for the administration of Aravaipa Canyon as a wilderness, the lands would be administered in accordance with the non-impairment rules and regulations of the Department of the Interior applicable to all areas under review for wilderness to the extent these regulations are consistent with the provisions of S. 626.

The Administration's recommendation that Aravaipa Canyon be designated as wilderness is a result of the wilderness study required by section 603 of the Federal Land Policy and Management Act of 1976. Public hearings were held in November 1979. In addition, all interested elected officials were notified of the proposed recommendation. There have been no major objections to the recommended action from any of those officials.

Mineral surveys conducted by the Department of the Interior indicate that the proposed wilderness area contains no significant mineral deposits. We believe that designation of the Aravaipa Canyon area will result in no adverse impacts on the Nation's security, mineral needs, or economic well being.

Aravaipa Canyon is an outstanding natural area of many contrasts. A gem of the southwestern desert, the Canyon landscape consists of high mesa-like cliffs through which courses a free flowing stream that provides lush vegetation and a habitat for birds and animals that are seldom seen in the surrounding desert. Opportunities abound for scientific study, wildlife observation, photography and primitive recreation. These values have long been recognized by both the Bureau of Land Management and the Department of the Interior—approximately 4,000 acres of the now proposed wilderness were previously designated as the Aravaipa Canyon Primitive Area on January 6, 1969, and April 28, 1971. We therefore strongly recommend that S. 626 be enacted.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

J. STEVEN GRILES,
Acting Secretary.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the committee notes that no changes in existing law would be made by the bill S. 626, as reported.

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